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cancel

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--118. (new)

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The method of claim 11 wherein paying a bonus to the selected gaming device comprises transmitting a pay command over the network from the host computer to the selected gaming device.

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--119. (new)

The method according to any of the preceding claims wherein said gaming devices comprise electronic gaming devices.--

### REMARKS

This amendment is responsive to the April 25, 2000 Office Action in this application. In that application, the Examiner acknowledged applicant's Information Disclosure Statements, rejected the claims on the basis of the judicially created doctrine of double patenting over claims 1 and 10, at least, of U.S. Patent 5,752,882; rejected the claims 77-87, 62-67 and 100-106 under 35 USC 112, second paragraph; rejected 68-76 pursuant to 35 USC §102; and indicated that claims 88-99 contained allowable subject matter and that claims 62, 77 and 100, and those claims dependent thereon would be allowable if the §112 and double patenting rejections were resolved.

First, with respect to the double patenting rejection, enclosed is a terminal disclaimer, which applicant believes fully addresses and resolves that rejection.

Second, with respect to the §112 second paragraph rejection, applicant has amended the application to clarify the claim language. For example, "paying a bonus to at least one of the gaming devices..." in claim 77 has been amended to "paying a bonus via at least one of the gaming devices..." This change in language is reflected through the claims and is consistent with the terminology used in some of the allowed claims, e.g., claim 62. Also relating to the §112 rejection, applicant confirms that in claims 62 and 100, the claimed controller in the preferred embodiment is controller 46 in Fig. 2.

Third, applicant respectfully traverses the rejection of claims 68-76 based on Piechowiak *et al.* (Piech) or Frankovic *et al.* (Frank). Applicant has nonetheless amended claim 68 by incorporating limitations similar to claims 70 and 71, now cancelled.

Frank discloses a network of slot machines in which all machines are always eligible to win an amount accumulated in a pool. Even admitting the Examiner's statement that it would be obvious to provide the bonus system only to those playing maximum coins—which applicant does not concede—there is no monitoring of the pool level. Nor is a bonus period initiated when

the pool level exceeds a predetermined level; rather, a single bonus payment is made to the device played that makes the total plays on all the devices exceed a randomly selected number of plays. What is more, the only eligible devices in the claimed invention are those that exceed the minimum level of gaming device play at the start of the period. Frank does not disclose or suggest this feature.

Piech discloses networked gaming devices in which a feature is enabled responsive to a condition on one of the gaming machines. When the feature is enabled, all of the machines are eligible to win a single award if they meet the award criteria. And as the examiner points out, at the bottom of column one, there is reference to an embodiment—which is not disclosed further—in which only selected machines are enabled with the feature. In Piech, however, this period is not initiated when a pool exceeds a predetermined level. In addition, the only eligible devices in the claimed invention are those that exceed the minimum level of gaming device play at the start of the period. Piech does not disclose or suggest this feature.

Piech admittedly discloses what could be considered a bonus period, i.e., after the feature is enabled and before the feature award is made. But once the feature award is made, the feature is disabled as shown in Fig. 2 going from step 216 to step 202. And in Piech this period is not initiated when a pool exceeds a predetermined level, as in the claimed invention. In addition, the only eligible devices in the claimed invention are those that exceed the minimum level of gaming device play at the start of the period. Piech does not disclose or suggest this feature.

The new claims depending from claim 68, beginning with claim 108, are also allowable because they depend from an allowable base claim. And they also claim features that are not disclosed or suggested in either Piech or Frank.

Applicant has also made additional clarifying amendments. For example, *predetermined* has been changed to *predefined* throughout. Applicant believes that this slightly broadens the claim, but that it is still patentable over the prior art. Also, criteria has been changed to criterion or to at least one criterion throughout. This clarifies the claims to make clear that the claim reads on a method involving a single criterion or more than one criterion. Similarly, in some claims *one* has been changed to *at least one*. Other additional minor amendments have been made to further clarify meaning or to remove indefiniteness. Applicant requests the Examiner to review these additional amendments, enter them, allow the claims, and issue a Notice of Publication.

A single new multiple dependant claim is added to limit *gaming devices* to *electronic gaming devices* in each of the claims. This claim is slightly narrower in scope in that gaming devices may include both electronic gaming devices and gaming devices such as table games and the like. Electronic gaming devices, on the other hand, include only gaming devices implemented electronically, such as modern slot machines and video poker games.

Finally, applicant submits herewith another Information Disclosure Statement and requests Examiner to review the art indicate its allowability on the attached 1449 and return with a Notice of Allowance.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C. 20231

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Respectfully submitted,

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